

United States District Court

for

FILED

WESTERN DISTRICT OF TEXAS

2011 APR 12 AM 8:46

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Byron Williams

Case Number: A-07-CR-020(1)-SS

Name of Sentencing Judicial Officer: Honorable Sam Sparks, United States District Judge

Date of Original Sentence: June 8, 2007

Original Offense: Possession with Intent to Distribute Cocaine Base, in violation of 21 U.S.C. § 841 (a)(1) & 841 (b)(1)(C)

Original Sentence: Eighty-seven (87) months custody in the Bureau of Prisons, to be followed by a three (3) year term of supervised release with drug treatment.

Type of Supervision: Supervised Release

Date Supervision Commenced: December 23, 2010

Assistant U. S. Attorney: Mark H. Marshall

Defense Attorney: Daniel W. Dworin (A)

PREVIOUS COURT ACTION

On April 22, 2008, the defendant's sentence was reduced to fifty-one (51) months custody. The sentence was reduced because of changes in Federal Sentencing Guidelines regarding "crack" cocaine or cocaine base.

On February 10, 2011, the Court was notified the offender had submitted positive urine specimens for marijuana on January 11th and 14th, 2011. He admitted to using marijuana daily during his term of incarceration. The offender had just commenced drug treatment and no further action was recommended. The Court concurred.

PETITIONING THE COURT

To issue a warrant

To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation of Mandatory Condition 1: "The defendant shall not commit another federal, state, or local crime."

Nature of Non-compliance: On or about February 21, 2011, Austin Police Officers were dispatched to a residence regarding an Aggravated Robbery. The victim reported she had arrived at her residence and while she was taking her two year old out of the vehicle a black male approached her and pointed a gun at her. He ordered her to give him her purse and he said, "You dumb bitch." The black male then left the scene. The victim identified the suspect's vehicle and a witness provided a partial license plate number. The victim informed officers that the black male had some gold teeth.

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On February 28, 2011, officers reviewed surveillance video from the complex which showed the suspect's vehicle. The car was identified as a 2004 Hyundai Sonata, TX LP HMW-923, registered to Antoinette Monique Walton. On March 22, 2011, the vehicle was located just across the street from where the robbery occurred. On March 25, 2011, officers observed the offender driving the vehicle and dropping off Ms. Walton at her place of employment. Ms. Walton is the offender's girlfriend. On March 30, 2011, officers went to the offender's residence and arrested the offender for Aggravated Robbery. The offender was arrested along with Eddie Hemphill for the offense. Mr. Hemphill is a convicted felon and currently on supervised release. The offender remains in custody in the Travis County Jail on a \$50,000 bond.

Violation of Standard Condition #9: "The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the Probation Officer."

Nature of Non-compliance: According to reports, on or about February 21, 2011, the offender along with Eddie Hemphill, a convicted felon committed the offense of Aggravated Robbery. Both men are currently incarcerated in the Travis County Jail. The offender did not have permission from the U.S. Probation Office to associate with Mr. Hemphill.

U. S. Probation Officer Recommendation:

The term of supervision should be:

Revoked.

Extended for _____ years, for a total term of _____ years.

The conditions of supervision should be modified as follows:

Approved by,

Caroline B. Clark
Caroline B. Clark
Supervising U.S. Probation Officer

Respectfully submitted,

Jeffry Adams
Jeffry Adams
U.S. Probation Officer
Date: April 8, 2011

Approved by,

Mark H. Marshall
Mark H. Marshall
Assistant U.S. Attorney

THE COURT ORDERS:

No Action
 The Issuance of a Warrant
 The Issuance of a Summons
 Other

Sam Sparks
Honorable Sam Sparks
United States District Judge

4-12-11

Date